

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELMSFORD APARTMENT ASSOCIATES, LLC, 36
APARTMENT ASSOCIATES, LLC, and 66 APARTMENT
ASSOCIATES, J.V.,

Plaintiffs,

v.

ANDREW CUOMO, as Governor of the State of New York,

Defendant.

No. 20-cv-4062 (CM)

**NOTICE OF CROSS-
MOTION**

PLEASE TAKE NOTICE THAT, upon the accompanying memorandum of law, and all prior pleadings and proceedings herein, Andrew M. Cuomo, sued in his official capacity as Governor of the State of New York (“Governor Cuomo” or “Governor”), by his attorney, Letitia James, Attorney General of the State of New York, will cross-move this Court, before the Honorable Colleen McMahon, Chief United States District Judge for the Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, on Wednesday, June 24, 2020 at 10:00 a.m., or any adjourned date, pursuant to Federal Rule of Civil Procedure 56, for a judgment in favor of Governor Cuomo on all claims in the Complaint of Plaintiffs Elmsford Apartment Associates, LLC, 36 Apartment Associates, LLC, and 66 Apartment Associates, J.V., or an order dismissing all such claims, and for such other and further relief as the Court deems just and proper.

Dated: New York, New York
June 18, 2020

LETITIA JAMES

Attorney General

State of New York

Attorney for Governor Andrew Cuomo

By: /s/ Matthew L. Conrad

MATTHEW L. CONRAD

Assistant Attorney General

28 Liberty Street

New York, NY 10005

(212) 416-8610